1 2 3 4 5 6 Honorable Karen L. Strombom 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE 9 MWH CONSTRUCTORS, INC., a Delaware Corporation, 10 NO. C 09-5248 KLS Plaintiff, 11 STIPULATED MOTION AND ORDER v. 12 FOR DISMISSAL HUNNICUTT'S, INC., a Washington 13 Corporation; INSURANCE COMPANY OF THE WEST, a California Corporation, 14 Defendants. 15 16 HUNNICUTT'S, INC., a Washington Corporation; 17 Third Party Plaintiff, 18 v. 19 FIDELITY AND DEPOSIT COMPANY OF 20 MARYLAND; ZURICH AMERICAN INSURANCE COMPANY; and CITY OF 21 TACOMA, 22 Third Party Defendants. 23 24 COME NOW the parties through their respective counsel of record and stipulate to the 25 dismissal of this case with prejudice and without any award of fees or costs. 26

STIPULATED MOTION AND ORDER FOR DISMISSAL CAUSE NO. C 09-5248 KLS CASE NO. C 09-5248 BHS PAGE – 1 04563 02701 mi21f922kf.002

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		West
6	Dated: 9/22/10	
7		Dated:9/21/10
8		
	s/ Terence J. Scanlan	s/ Jeff H. Capell
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12	Attorneys for MWH Constructors, Inc.,	Attorney for City of Tacoma
13	Fidelity & Deposit Company of Maryland,	
14	and Zurich American Insurance Company	Dated:9/10/10
	D . 1	
15	Dated: 9/21/10	
16		
10		
17	<u>ORDER</u>	
	OPDEDED, that the above each is hereby dismissed with projudice and without award	
18	ORDERED, that the above case is hereby dismissed with prejudice and without award	
19	of fees or costs.	
20	DATED this 20th day of October, 2010.	
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		teen Latinism
22		Karen L. Strombom
22		United States Magistrate Judge
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